REMARKS

Headings have been added to the specification, as required. All of the Examiner's proposals for rendering the claims more definite have been incorporated into the new set of claims.

New claim 87 is directed to situations where an NE reports a down status of one of its neighboring NEs. Dev fails to disclose or suggest a Network Element, which reports a down status of its neighbor. In Dev's disclosure a network entity sends to a Network Management System information about its own status and not about down status of a neighboring network entity. In col. 7, lines 63-68, Dev discloses that some entities are not capable of communicating its status to the Network Management System, but the way the Network Management System knows the status of various network entities in Dev's system is different from the one claimed in the present claim 87.

Dev introduced a Network Management System containing virtual models of all network entities and the status of an entity, which is not capable of reporting its own status that is determined based on information from other models (i.e., one model checks status of another model and derives from that a status of a yet another model) - col. 7, line 68 through col. 8, line 12. This is clearly different from what is claimed in the claim 87, where one Network Element reports a down status of another Network Element.

What Dev discloses in col. 10, line 67 through col. 11, line 7 merely states that lack of contact between two network entities can be caused either by fault of one of these two network entities or by fault of any network entity between these two. This passage, however, is silent about status reporting to the Network Management System. The way the status is determined is clearly explained in col. 7, line 63 through col. 8, line 12 and this is based on the information held by the models, which is clearly different from the method defined in the mew claim 87.

In claim 87 the reporting is done without using any intermediaries. In view of these differences the applicant believes that the claim 87 is novel over Dev. It is also believed that the invention is not obvious in view of Dev because there is nothing in Dev to suggest reporting down status of a Network Element by a neighboring Network Element. Dev is primarily focused on the virtual state machine, the models being part of said virtual state machine and their information that can be obtained from analyzing of the models. The person skilled in the art would be taught, after reading Dev, how to use the models and information contained in them and taught away from more complicated status reporting by neighbor Network Elements. Because claim 87 is new and inventive, the claims depending on claim 87 are also novel and inventive.

Claim 122 recites the invention in a way substantially similar to claim 87. Applicant believes that claim 122 is novel and non-obvious and therefore all claims dependent on claim 122 is also novel and non-obvious.

Claim 128 recites the invention in a way substantially similar to claim 87.

Claim 129 recites the invention in a way substantially similar to claim 87, and its allowability is urged for the reasons stated above.

Petition is hereby made for a two-month extension of the period to respond to the outstanding Official Action to February 5, 2008. A check in the amount of $460.00, as the Petition fee, is enclosed herewith. If there are any additional charges, or any overpayment, in connection with the filing of the amendment, the Commissioner is hereby authorized to charge any such deficiency, or credit any such overpayment, to Deposit Account No. 11-1145.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,
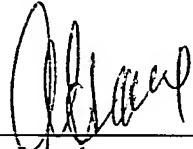
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